

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA

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MONTGOMERY, ALABAMA 36101-0711

DEBRA P. HACKETT
CLERK

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(334) 954-3610

October 3, 2007

Mr. Thomas K. Kahn, Clerk
United States Court of Appeals, Eleventh Circuit
56 Forsyth Street, NW
Atlanta, GA 30303

USDC No. CV-07-W-767-N

USCA No. _____

IN RE: RE'NAUL M. JOHNSON VS. AL DEPARTMENT OF CORRECTIONS, ET AL.

Enclosed are documents regarding an appeal in this matter. Please acknowledge receipt on the enclosed copy of this letter.

☒ Certified copy of Notice of Appeal, docket entries. Judgment and Opinion/Order appealed from enclosed. If Opinion/Order was oral, please check box. ☐

☒ First Notice of Appeal: ☒ Yes, ☐ No Date(s) of Other Notices: _____

Was there a hearing from which a transcript could be made:

☐ Yes, The Court Reporter(s) is/are:

☒ No Date of Hearing(s): _____

THE FOLLOWING MATERIALS WERE SEALED IN THIS COURT (Order encl.): _____

☐ IFP; and/or APPEALABILITY/CPC is pending in this Court.

☐ Court Appointed Counsel/CJA; ☐ Yes; ☐ No; Copy of Order Enclosed:

☒ The Appellate docket fee has been paid ☐ Yes, ☒ No: _____ Date, Receipt# _____

☐ Appellant has been ☐ GRANTED; ☐ DENIED IFP, Copy of Oder enclosed.

☐ Appellant has been ☐ GRANTED; ☐ DENIED CPC/APPEALABILITY, Copy of Order enclosed.

☐ Appeal Bond, ☐ Supersedeas Bond

☒ The District Judge or Magistrate Judge appealed from is Hon: WILLIAM KEITH WATKINS

This is an appeal from a bankruptcy order; Bankruptcy Judge: _____

☐ This is a DEATH PENALTY appeal.

Certified record on appeal consisting of:

☐ Volume(s) of Pleadings, ☐ Volume(s) of Transcripts,
☐ SEALED ITEMS, ie. ☐ PSI(s) _____; OTHER _____; TAPE(s) _____
☐ Exhibits: ☐ Envelope
☐ Volume (s) of Original Papers

cc:

Sincerely,

DEBRA P. HACKETT, CLERK

By: Yolanda Williams
Deputy Clerk

ANDERSON, APPEAL, INMATE

**U.S. District Court
Alabama Middle District (Montgomery)
CIVIL DOCKET FOR CASE #: 2:07-cv-00767-WKW-TFM
Internal Use Only**

Johnson v. Alabama Department of Corrections et al
(INMATE 1)
Assigned to: Honorable William Keith Watkins
Referred to: Honorable Terry F. Moorer
Demand: \$1,055,000
Case in other court: USDC-SDAL - Mobile Division,
1:07-cv-00278-KD-M
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 08/27/2007
Jury Demand: Plaintiff
Nature of Suit: 555 Habeas Corpus
(Prison Condition)
Jurisdiction: Federal Question

Plaintiff

Re'Naul M. Johnson
also known as
Ariel A. Adla

represented by **Re'Naul M. Johnson**
AIS 166237
ADOC STATON
Staton Correctional Facility
P O Box 56
Elmore, AL 36025
PRO SE

V.

Defendant

Alabama Department of Corrections
being sued in its official

Defendant

Richard Allen
Hon. being sued in his official capacity

Defendant

Ron Canvanaugh
*Dr., Psy.D., being sued within his
individual and official capacities*

Defendant

George Lyrene
*Dr., M.D., being sued within his
individual and official capacities*

Defendant

Prison Healthcare Services

being sued within their individual and official capacities

Defendant

Sylvia McQueen

Dr., M.D., being sued within her individual and official capacities

Defendant

Robert Barnes

Dr., M.D., being sued within his individual and official capacities

Defendant

Mental Healthcare Management

being sued within their individual and official capacities

Defendant





Robert Hunter

Dr., M.D., being sued within his individual and official capacities

Defendant

Jerry Ferrell

being sued within his individual and official capacities

Date Filed	#	Docket Text
04/18/2007	 <u>1</u>	Inmate 1983 COMPLAINT against all defendants, filed by Re'Naul M. Johnson.(cb,) (Entered: 08/29/2007)
04/18/2007	 <u>2</u>	Motion for Leave to Proceed In Forma Pauperis filed by Re'Naul M. Johnson. (cb,) (Entered: 08/29/2007)
04/18/2007		DEMAND for Trial by Jury by Re'Naul M. Johnson. No pdf attached to this entry. See <u>1</u> for pdf. (cb,) (Entered: 08/29/2007)
04/30/2007	 <u>3</u>	Order entered by USDC-SD of AL directing the clerk to return original IFP motion and plaintiff to sign and return NLT 5/29/07. (cb,) (Entered: 08/29/2007)

05/09/2007	<u>4</u>	Motion for Leave to Proceed in forma pauperis by Re'Naul M. Johnson. (cb,) (Entered: 08/29/2007)
05/09/2007	<u>5</u>	Motion to Amend Complaint by Re'Naul M. Johnson. (cb,) (Entered: 08/29/2007)
05/09/2007	<u>6</u>	AMENDED COMPLAINT against all defendants, filed by Re'Naul M. Johnson.(cb,) (Entered: 08/29/2007)
05/09/2007	<u>7</u>	MOTION to Waive Posting of Financial Securities as Required to File an Application for a Temporary Restraining Order and Or In the Alternative Preliminary Injunction by Re'Naul M. Johnson. (cb,) (Entered: 08/29/2007)
05/09/2007	<u>8</u>	Memorandum of Law and Brief in Support of Application for a Temporary Restraining ORder and/or in the Alternative Application for a Preliminary Injunction filed by Re'Naul M. Johnson. (cb,) (Entered: 08/29/2007)
05/09/2007	<u>9</u>	AFFIDAVIT in Support of <u>7</u> Motion to Waive Posting of Financial Securities and Motion Temporary Restraining Order by Re'Naul M. Johnson. (cb,) (Entered: 08/29/2007)
05/09/2007	<u>10</u>	NOTICE of Filing Proposed Order re <u>7</u> Motion to Waive Posting of Financial Securities and Motion Temporary Restraining Order (Order to Show Case and Temporary Restraining Order and/or in the Alternative Preliminary Injunction) by Re'Naul M. Johnson. (cb,) (Entered: 08/29/2007)
05/09/2007		Application for Temporary Restraining Order by Re'Naul M. Johnson. No pdf to this entry. See <u>8</u> Memorandum of Law and Brief in Support for pdf. (cb,) (Entered: 08/29/2007)
06/06/2007	<u>11</u>	(VACATED PURSUANT TO <u>21</u> ORDER REGARGIND GRANTING OF IFP MOTIONS) ORDERED entered by USDC-SD of AL granting <u>2</u> and <u>4</u> Motions to Proceed Without Prepayment of Fees; directing the Clerk to withhold service of process until further notification; and GRANTING <u>6</u> Motion to Amend Complaint. (cb,) Modified on 9/4/2007 (wcl,). (Entered: 08/29/2007)
07/03/2007	<u>12</u>	Motion for Status field by Re'Naul M. Johnson. (cb,) (Entered: 08/29/2007)
07/19/2007	<u>13</u>	ORDER entered by the USDC-SD of AL granting <u>12</u> Motion for Status; and directing the Clerk to send plaintiff a copy of the docket sheet. (cb,) (Entered: 08/29/2007)
08/03/2007	<u>14</u>	Report and Recommendation re <u>6</u> Complaint be transferred to the USDC for the MD of AL. Objections to R&R due by 8/23/07.. (cb,) (Entered: 08/29/2007)
08/15/2007	<u>15</u>	Objection to <u>14</u> Report and Recommendations by Re'Naul M. Johnson. (cb,) Modified on 8/29/2007 to correct the file date of the objection (cb,). (Entered: 08/29/2007)

08/20/2007	● <u>16</u>	NOTICE of Change of Address by Re'Naul M. Johnson (cb,) (Entered: 08/29/2007)
08/23/2007	● <u>17</u>	Order Adopting <u>14</u> Report and Recommendations. This action is hereby TRANSFERRED to the USDC-MD of AL. (cb,) (Entered: 08/29/2007)
08/27/2007	● <u>18</u>	Case transferred in from District of USDC-Southern District of AL; Case Number 1:07cv278-KD-M. Original file received electronically, filed by Re'Naul M. Johnson.(cb,) (Entered: 08/29/2007)
08/28/2007	●	(Court only) Staff Attorneys added as interested parties. Assignment of Staff Attorney Anderson. Set Anderson & Inmate Flags. (kh) (Entered: 08/28/2007)
08/30/2007	● <u>19</u>	ORDER denying <u>7</u> Motion for Temporary Restraining Order. Signed by Judge William Keith Watkins on 8/30/2007. (cb,) (Entered: 08/30/2007)
08/30/2007	● <u>20</u>	ORDER that <u>7</u> Motion to Waive Posting of Financial Securities for a Filing Motion for Temporary Restraining Order is DENIED as moot. Signed by Judge Terry F. Moorner on 8/30/2007. (cb,) (Entered: 08/30/2007)
09/04/2007	● <u>21</u>	ORDER VACATING the <u>11</u> Order to the extent it grants the plf leave to proceed in forma pauperis in this cause of action. Signed by Judge Terry F. Moorner on 9/4/2007. (wcl,) (Entered: 09/04/2007)
09/04/2007	● <u>22</u>	ORDER denying <u>2</u> and <u>4</u> Motions for Leave to Proceed in forma pauperis; it is the RECOMMENDATION of the Magistrate Judge that this case be dismissed without prejudice for the plf's failure to pay the full filing fee upon the initiation of this case; Objections to R&R due by 9/17/2007. Signed by Judge Terry F. Moorner on 9/4/2007. (wcl,) (Entered: 09/04/2007)
09/17/2007	● <u>23</u>	ORDERED that the plf is GRANTED an extension from 9/17/2007 to an including 9/28/2007 to file objections to the <u>22</u> Recommendation entered on 9/4/2007; Objections to R&R due by 9/28/2007. Signed by Judge Terry F. Moorner on 9/17/2007. (wcl,) (Entered: 09/17/2007)
09/21/2007	● <u>24</u>	OBJECTION to <u>22</u> Report and Recommendations by Re'Naul M. Johnson. (wcl,) (Entered: 09/21/2007)
10/02/2007	● <u>25</u>	NOTICE OF INTERLOCUTORY APPEAL by Re'Naul M. Johnson to the United States Court of Appeals for the Eleventh Circuit from the <u>19</u> Order denying Motion for TRO, entered on August 30, 2007. Copies mailed (ydw,) (Entered: 10/03/2007)
10/03/2007	●	Transmission of Notice of Appeal and Certified Copy of Docket Sheet and Order to US Court of Appeals re <u>25</u> Notice of Interlocutory Appeal (ydw,) (Entered: 10/03/2007)